First off – framework

The role of the ballot is to evaluate the **desirability** of a topical affirmative advocacy, not to determine the truth or falsity of the resolution.

**First**, Offense/defense is most fair because it gives reciprocal burdens to both sides instead of allowing the aff to moot the NC by denying the many assumptions it is grounded on, such as the existence of morality.

**Second**, Offense/defense is most educational because it deals with how philosophy is actually applied to the real world, i.e. as a guide for action instead of a pointless thought experiment.

**Third,** “Resolved” means “firmly determined to do something.” Thus, he needs to defend a topical action. Simply proving the truth of the statement **following** “Resolved” is not sufficient because it does not show resolve to take that action. Textuality comes first because consistency with the text of the resolution is the only non-arbitrary basis for determining the better debater. Also, textuality link turns other theory standards because it is the basis for claims to predictability and ground.

Fairness comes first because it is a gateway issue to determining the better debater.

Next off – counterplan

A is the Counterplan Text: The victim ought to prosecute his/her abuser in a domestic violence court.

B is Competition. First, it's mutually exclusive. You can't go to domestic violence court if your spouse is already dead. Second, it's net beneficial because there's no reason to kill them if the court solves better.

C is Solvency.

Domestic violence courts are better than regular courts in 7 ways.

Andrew Klein 2009 of the U.S. Department of Justice[[1]](#footnote-1)

A 2004 study found 160 jurisdictions across the country with specialized domestic violence courts. The majority of these courts had the following traits in common: (1) effective management of domestic violence cases, coordinating all of the cases involving the relevant parties and integrating requisite information for the court; (2) specialized intake and court staffing for domestic violence cases; (3) improved victim access, expedited hearings, and assistance for victims by court staff, often assisted by related specialized, vertical domestic violence prosecution units; (4) court processes to ensure victims' safety (e.g., court metal detectors, separate waiting rooms, specialized orders and victim referrals; (5) increased court monitoring and enforcement of batterer compliance with court orders, often exercised by specialized probation supervision units; (6) consideration of any children involved in the domestic violence; and (7) enhanced domestic violence training for judges.

Domestic violence courts greatly decrease reoffending.

Andrew Klein 2009 of the U.S. Department of Justice[[2]](#footnote-2)

Although relatively new, some research shows that specialized domestic violence courts are associated with decreased reoffending and reabuse. The reduction may be due to reforms of court processes or a corresponding specialization of domestic violence prosecution and/or probation supervision, or all three. A study of Milwaukee‟s federally funded domestic violence court found that the number of arrests were halved for domestic violence defendants sentenced to probation, compared to those sentenced to probation before court reform. The rearrest rate dropped from 8 percent to 4.2 percent. The average number of new arrests also dropped significantly. Researchers posited that one of the prime explanations for the drop was a corresponding rise in the use of incarceration as a sentence. As a result of tight judicial monitoring and enforcement of release conditions, the [average] post-reform probationers spent 13,902 days confined, compared to the 1,059 days probationers spent jailed in the days before court reform. In other words, those sentenced by the special domestic violence court had less time on the streets to reabuse and reoffend. [104]

D is the Net Benefit

Protective orders avoid murder. Murder outweighs domestic violence on magnitude. Two reasons: (A) Murder is irreversible and precludes any future happiness, and (B) symbolically, murder represents the worst punishment which is why we reserve the death penalty for the worst offenders.

Next off – prison disad

Women who kill their abusers go to prison for a long time. **Lowry 11**[[3]](#footnote-3)

But while I might cheer on the fictional Janice Soprano as she murders the fictional Richie Aprile, I would never advocate for women who have been abused to take such action in real life. There are obvious moral reasons for this, but there are practical reasons as well. After shooting Richie, Janice called her mob boss brother Tony Soprano to take care of cleaning up the mess and disposing of the body. And so Janice experienced no consequences from the murder except for her own grief. Not so for real-life victims of domestic violence who murder their abusers. The **[a] study** "Convicted Survivors: The Imprisonment of Battered Women Who Kill" by Elizabeth Ann Dermody Leonard **demonstrates that 95.4 percent of battered women who kill their abusers are convicted of either first or second-degree murder and sentenced to lengthy prison terms.** Nearly all abused inmates will be released back into their communities without needed support.

Prison outweighs domestic violence for two reasons:

1. **Magnitude** – women in prison have fewer liberties and are confined for a longer amount of time.

2. **Reversibility** – abuse victims can rectify abuse through alternate means later on, but there is no way to solve a life sentence in prison.

Prison turns the case. Women are abused worse in prison and have no recourse.

**Lind 2k**[[4]](#footnote-4)

As Owen notes, **Human Rights Watch** recently **focused on the sexual abuse of women in prison.** Reviewing the evidence in an array of states, the organization **[It] reported that** "our findings indicate that being a woman in U.S. state prisons can be a terrifying experience." **For all too many women in US prisons**, Human Rights Watch concluded, **there is *no* escape from one's abuser. There are ineffectual grievance procedures,** there is **a lack of employee accountability, and** there is **little to no public concern about the problem.**

**AT AC**

1. Skepticism is avoided by accepting a margin of error in our moral statements. **Parfit**:  
Parfit, Derek '[Reasons and motivation](http://individual.utoronto.ca/stafforini/parfit/parfit_-_reasons_and_motivation.pdf)', *Supplementary volume - Aristotelian Society*, vol. 71 (1997), pp. 99-130.

**We may not be able to prove that our** normative epistemic **[moral] beliefs are not illusions. We may also be unable to prove that we are not brains in a vat**, or being deceived by some demon. **But if we claim less than absolute certainty, we can** justifiably **reject such skeptical views.** In arguing that we can know some normative epistemic truths, we must appeal to some of these truths. We must claim that we have reasons to believe that we can respond to reasons. Such arguments are in one way circular, but that does not make them fail. Any justification must end somewhere. Justifications of beliefs can best end with intrinsic credibilities and decisive epistemic reasons. We do not have to show that we have further reasons to believe that we have these reasons, and further reasons to believe that we have these further reasons, and so on forever. Some beliefs seem indubitable, and we seem to have decisive reasons to accept many other beliefs. Nor do we seem to have any strong reason to doubt that we do have such reasons. Given these facts, if we can understand how it might be true that we are responding to such reasons, we can justifiably believe that we are responding to such reasons. **We can justifiably believe that there are some truths** about what we ought to believe, **and that we know some of these truths.**

2. A risk of neg offense is sufficient to ignore skep. Skep provides no proactive reason for action, so even a 1% risk of a moral prohibition would outweigh skeptical arguments.

3. Skep negates because if skep is true, we can’t make truth-apt moral claims in the first place, and it would be nonsense to talk of whether morality permits or prohibits a certain action.

4. Skep negates because we can’t arrive at absolute truth, so people would just follow their own moral systems. Some would hold that killing is permissible; some would hold that it isn’t, and we couldn’t reach a general conclusion such as holding that killing is on balance permissible.

Coherentism avoids the infinite regress.

Geoffrey **Sayre-McCord** writes[[5]](#footnote-5)

Moreover, such a coherentist can continue to hold that what positive reason we have for any belief will still always depend solely on what other beliefs a person has. This sort of **coherentism**, then, **grants the regress argument's initial assumption: that a belief can provide (positive) justification for another belief only if it is, itself (permissively) justified.** It grants as well that, to the extent an unacceptable regress threatens, it can be brought to a stop with the recognition that beliefs can be justified in either of two senses. What it denies is foundationalism's characteristic -- and defining -- claim that some beliefs (the regress stoppers) are epistemically privileged independently of the inferential/evidential relations they bear to other beliefs. It insists instead that whether a belief can serve to stop the regress, whether it counts as permissively justified or not, is fully determined by the evidential relations it bears to other beliefs, and that when it does so count it itself enjoys no positive justification, even as it is available to provide positive support for other beliefs. **The coherentist won't hold that the permissively justified beliefs that bring the regress to a stop have anything else to recommend them independently of how they relate to other beliefs; their primary role is to provide** the epistemic input -- **the initial bits of evidence** -- **one** justifiably **relies upon in seeking out views that are positively justified.**

Morality must take the form of a universal rule.

Professor of philosophy at Princeton Peter **Singer 09** writes[[6]](#footnote-6)

**When I prescribe [an action]** something, using moral language, my prescription **[it] commits me to a** substantive **moral judgment about all** relevantly **similar cases. This includes hypothetical cases in which I am in a different position from my actual one. So to make a moral judgment, I must put myself** in the position of the other person affected by my proposed action – or to be more precise, **in the position of *all* those affected** by my action. Whether I can accept the judgment – that is, whether I can prescribe it universally – will then depend on whether I could accept it if I had to live the lives of all those affected by the action.

Universalizability justifies util. Peter **Singer 93** continues[[7]](#footnote-7)

The universal aspect of ethics, I suggest, does provide a persuasive, although not conclusive, reason for taking a broadly utilitarian position. My reason for suggesting this is as follows. **In accepting that ethical judgments must be** made from a **universal** point of view, **I am accepting that my own interests cannot,** simply because they are my interests, **count more than the interests of anyone else. Thus my** very natural **concern that my own interests be looked after must**, when I think ethically, **be extended to** the interests of **others.** Now, imagine that I am trying to decide between two possible courses of action - perhaps whether to eat all the fruits I have collected myself, or to share them with others. Imagine, too, that I am deciding in a complete ethical vacuum, that I know nothing of any ethical considerations - I am, we might say, in a pre-ethical stage of thinking. How would I make up my mind? One thing that would be still relevant would be how the possible courses of action will affect my interests. Indeed, if we define 'interests' broadly enough, so that we count anything people desire as in their interests (unless it is incompatible with another desire or desires), then it would seem that at this pre-ethical stage, only one's own interests can be relevant to the decision. Suppose I then begin to think ethically, to the extent of recognizing that my own interests cannot count for more, simply because they are my own, than the interests of others. In place of my own interests, I now have to take into account the interests of all those affected by my decision. **This requires me to weigh** up **all** these **interests and** adopt the course of action most likely to **maximize the interests of those affected.**

1. Klein, Andrew. US Department of Justice. 2009. "Practical Implications of Current Domestic Violence Research." [↑](#footnote-ref-1)
2. Klein, Andrew. US Department of Justice. 2009. "Practical Implications of Current Domestic Violence Research." [↑](#footnote-ref-2)
3. Hit Her Once, She'll Shoot You Dead: Did Janice Soprano Have It Right? Mary Pauline Lowry Posted: 09/19/11 11:42 AM ET [↑](#footnote-ref-3)
4. From Bad to Worse Review of Harsh Punishment: International Experiences of Women's Imprisonment by Meda Chesney-Lind The Women's Review of Books, Vol. 17, No. 5 (Feb., 2000), p. 7 [↑](#footnote-ref-4)
5. Sayre-McCord, Geoffrey (University of North Carolina at Chapel Hill). Coherentist Epistemology and Moral Theory. From Moral Knowledge? edited by Walter Sinnott-Armstrong and Mark Timmons (Oxford University Press, 1996), pp. 137-189. <http://www.unc.edu/~gsmunc/Papers/Coherentist_epistemology.pdf> [↑](#footnote-ref-5)
6. Peter Singer [Ira W. DeCamp Professor of Bioethics, Princeton], “The Groundwork of Utilitarian Morals: Reconsidering Hare’s Argument for Utilitarianism,” draft prepared for the Conference on Issues in Modern Philosophy: “The Foundations of Morality,” NYU Philosophy Department, November 7, 2009, 34. [↑](#footnote-ref-6)
7. Peter Singer, “Practical Ethics,” Second Edition, Cambridge University Press, 1993, pp. 13-14 [↑](#footnote-ref-7)